

REMARKS

Claims 1-13, 18 and 20 have been amended. Accordingly, claims 1 and 3-27 remain in the application. Reconsideration and allowance of the claims is respectfully requested.

Claims 1, 6, 13, 17 and 19 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nagano (4,489,307). The Examiner states that Nagano discloses a recess having a shape that conforms to the outer periphery of the operation control button 55 (Figure 2) and switch mounting recess (22). Applicant respectfully submits that the Examiner is defining the term "recess" improperly. A "recess," as it applies to the present invention, has a bottom wall and side walls extending from the bottom wall. The independent claims of the application have been amended to clarify the definition of the term "recess". The element that the Examiner equates to the recess of the present invention is hole (22) in Figure 2 of Nagano. Nagano shows a cable passing through hole (22). Shimano's invention is a recess in the top surface of the bicycle control device wherein the switch and the cable can be mounted. The recess of the present invention is not a hole but has a bottom surface and side surfaces extending therefrom.

Claims 1-5, 10-11 and 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nagano in view of Abe (6,073,730). The independent claims, as amended, recite a recess having a side wall and a bottom wall, wherein the side wall and bottom walls are not printed circuit boards, and wherein the recess has a shape that conforms to the shape of the outer periphery of the control button. As discussed above, Nagano does not disclose a recess having a bottom wall and a side wall extending from the bottom wall. During a telephone interview, Examiner Smith invited Applicant's Attorney to pay particular attention to Figures 10 and 11 of Abe. Figures 10 and 11 are cross-sectional side views of the device. If only Figures 10 and 11 were available, it would appear that the shape of the recess conforms to the shape of the outer periphery of the control button. However, upon reviewing Figure 3 (of which Figure 10 is a cross-sectional side view), it is clear that the recess 23 does not have a shape that conforms to the outer periphery of the control button 33. Recess 23 is much larger and is shown to carry two control buttons therein. Therefore, recess 23 does not have a shape that conforms to the outer periphery of the control button.

Furthermore, Abe does not disclose the recess having a side wall and bottom wall that are not printed circuit boards. An advantage of the present invention is that the printed circuit board and other electronic components can be positioned remotely from the control button. See specification, page 6, lines 1-16. In this regard, the control button can fit into a recess on the bicycle control device even if there is no printed circuit board located in the recess. The bottom wall shown in Figures 10 and 11 is a printed circuit board. Accordingly, the control button sits

directly on top of the printed circuit board and is not at a location remote from the printed circuit board.

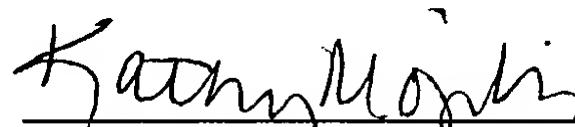
None of the other cited references (Seimitsu, Hill or Iteya) make up for the shortcomings of Abe and Nagano. Accordingly, Applicant respectfully submits that the independent claims are patentably distinguishable from the cited references. The dependent claims include additional features that patentably distinguish the claims from the cited references.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of all rejections and a notice of allowance are respectfully requested. Should there be any questions regarding this application, Examiner Smith is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted

July 30, 2003

Date



Kathy Mojibi

Reg. No. 41,409

JEFFER, MANGELS, BUTLER & MARMARO LLP
Seventh Floor
1900 Avenue of the Stars
Los Angeles, CA 90067
Tel: (310) 203-8080